



Via ECFS

February 28, 2011

Marlene H. Dortch
Office of the Secretary
Federal Communication Commission
445 12th Street SW
Suite TW-A325
Washington, DC 20554

Re: **EB DOCKET NO. 06-36**

Dear Ms. Dortch:

Navigata Communications 2009, Inc. hereby files a copy of its 2010 Annual CPNI Compliance Certification, as required by section 64.0009(e) of the Commission's rules.

Please let me know if you have any questions about this filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Legault".

Peter Legault
President

Cc: Best Copy and Printing, Inc. (BCPI), fcc@bcpiweb.com



EB Docket 06-36

**Annual 64.2009(e) CPNI Certification filed in 2011 covering the prior
calendar year 2010.**

1. Date filed: **February 28, 2011**
2. Name of company(s) covered by this certification: **Navigata Communications 2009, Inc.**
3. Form 499 Filer ID: **828178**
4. Name of signatory: **Peter Legault**
5. Title of signatory: **President**
6. Certification:

I, Peter Legault, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 et seq.

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 et seq. of the Commission's rules.

The company has not taken actions (i.e., proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.



Signed _____

Attachments: Accompanying Statement explaining CPNI procedures

Statement Explaining CPNI Procedures
Navigata Communications 2009, Inc.

1. As a services reseller of, primarily, private-line data services to other carriers on a wholesale basis, the company is not in a position to obtain CPNI of end-user customers. The company also provides certain telecommunications services within the jurisdiction of the Canadian Radio-television Telecommunications Commission (CRTC); however, the scope of this statement is intended to address those services within the jurisdiction of the Federal Communications Commission (FCC).
2. It is the policy of the company not to use, disclose or permit access to CPNI without prior customer notification for any purpose other than the following: to provide customers with the purchased services; billing and collection for purchased services; to customize purchased services; to perform maintenance and diagnostics; to provide technical support; to install hardware and software upgrades; to prevent fraud; to respond to lawful service of process; to protect against unlawful use of our network; and to protect other network users.
3. The company does not use CPNI for sales and marketing purposes nor for outbound marketing. In the event the Company authorizes use of CPNI in any future sales and marketing campaigns, the Company's policy is to maintain records of its own sales and marketing campaigns that use CPNI, as well as those of its affiliates. These records would include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. The company's policy is to maintain these records in its offices for a minimum of one year. In addition, the company's supervisory process for conducting sales and marketing plans includes a review and assessment of whether CPNI is being utilized.
4. Prior to any solicitation for customer approval, the Company will provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI in accordance with 47 CFR 64.2008. The company's policy is to maintain records of customer approval for use of CPNI, as well as notices required by the FCC's regulations, for a minimum of one year, in a readily-available location that can be consulted on an as-needed basis so that the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.
5. The company conducts ongoing training for its employees regarding when they are authorized to use CPNI, as well as when they are not authorized to use CPNI. Employees who make unauthorized use of CPNI are subject to disciplinary action, up to and including termination.

6. The company has a supervisory review process regarding sales and marketing plans that addresses compliance with the FCC's rules relating to protection of CPNI for outbound-marketing situations. The purpose of this supervisory review process is to ensure compliance with all rules prior to: (i) conducting requests for customer approval; and (ii) using CPNI for a purpose for which customer approval is required. Company personnel, prior to making any use of CPNI, must first consult with the Senior Vice President, Sales, Marketing and Customer Service, regarding the lawfulness of using the CPNI in the manner contemplated. In deciding whether the contemplated use of the CPNI is proper, the SVP, Sales, Marketing and Customer Service may consult with one or more of the following: the company's policy manual, the applicable FCC regulations, other members of the company's senior management, and, if necessary, legal counsel. The company's sales personnel must obtain supervisory approval from the SVP, Sales, Marketing and Customer Service regarding any proposed use of CPNI.

7. The company does not share CPNI with any third parties for any purposes other than providing requested services to the company's customers or in response to a valid subpoena. The company enters into confidentiality agreements, as necessary, with any such vendors or independent contractors to whom it discloses or provides access to CPNI.